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DAVID P. CUSICK, TRUSTEE, #160467
NEIL ENMARK, #159185, attorney for Trustee
TALVINDER S. BAMBHRA, #230907, attorney for Trustee
P.O. Box 1858
Sacramento, California 95812-1858
legalmail@cusick13.com
(916) 856-8000

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

IN RE:)	Case No: 13-21046-C-13C
)	DCN: DPC-1
)	
JOHN HOWARD HELLIWELL)		DECLARATION OF ED WEEDMAN
TAMMY MARIE HELLIWELL)		IN SUPPORT OF TRUSTEE'S
)	MOTION TO DISMISS CASE
)	
)	DATE: SEPTEMBER 10, 2014
)	TIME: 10:00 A.M.
)	JUDGE: KLEIN
<u>Debtor(s)</u>)	COURTROOM: 33

I, Ed Weedman, do hereby state and declare as follows:

1. I am over the age of eighteen years old and not a party to this action.

2. I am employed by DAVID P. CUSICK, TRUSTEE, and in the course of my employment, I have become familiar with his records and procedures, and the records of this case, and I can testify as to both.

3. I have reviewed the Trustee's records and show that:

a. The debtors failed to provide for the Priority Portion of the Franchise Tax Board claim (Court claim #7) in the amount of \$1,376.76 of which \$1,194.12 was claimed as priority. The Debtor was provided a Notice of Filed Claims on August 26, 2013, Docket Number 74, which listed this claim on Page 5 as priority and not provided for in the plan and indicated that a motion to modify was required, Page 2, Item (f).

b. The debtors are delinquent \$3,173.87 under the terms of the plan confirmed 7-24-13. The debtors have paid a total of \$53,958.13 to the Trustee with the last payment posted 6-24-14. Another payment of \$3,174.00 will become due 8-25-14.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 13, 2014, at Sacramento, California.



Ed Weedman